

contracting. I just disagree with you. Just because they don't read contracts is no reason why we should put a limit to the ability to contract. But the other parts of the bill provide that a person can cancel a contract if the services are not being provided. That is sufficient protection. We don't and should not, as a Legislature, tell people in private enterprise that they must put...they must artificially place a one-year duration on a contract. That is...that is bad public policy to do that. I understand Senator Nelson's point about canceling if the services aren't provided, that is fine. But to get involved in that kind of thing, I think, sets a bad precedent. I don't know whether it helps or hinders those health clubs that are not supporting this bill, but if we take that out, I could support this bill. But I don't think we should get involved in that kind of interference with the legislative process.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Thank you, Senator Ashford. Senator Pirsch.

SENATOR PIRSCH: Senator Ashford, I am really glad that you changed your amendment because it bothers me that someone who has in the business seven years could be treated differently than someone who had only been in business three years. I want to tell you a story, and I guess maybe this is the time to do it. I work with a woman who needs health spa, health club equipment and all the accompanying features of a health club for physical reasons. She was delighted when Gold's Gym was going to come to Omaha right by our place of work, and invested, prepaid \$844 to join that club, should it ever open. Well, you all know that it never did open, and after she had written the Attorney General and decided that her only recourse was to join another health club. So she picked a health club that had been in existence for 12 years, 12 years, very supposedly stable health club, and she paid them \$400, and they closed within a couple of weeks. They closed overnight without any notice, without any warning to their members, and, in fact, were still selling life memberships the day they closed. Now this is the kind of story that is representative, maybe more than others have lost, but certainly speaks of a need for something like this. There are various deals that are offered at health clubs. You can go and negotiate and you can sometimes get a pretty good deal, and the better negotiator you are the better deal you get for the length of time that you sign up for. What this bill speaks to is that it is kind of setting down the limits, setting